



Compliance Guide

New Permit and Reporting Requirements
for
Bottomfish, Crustacean, and Precious Coral Fisheries
in the Pacific Remote Island Areas
and
Crustacean and Precious Coral Fisheries in the Northern Mariana Islands

December 2006

This guide¹ provides information for fishermen on how to comply with new permit and reporting requirements for certain fisheries in Federal waters of the U.S. Pacific Remote Island Areas (PRIA) and the Commonwealth of the Northern Mariana Islands (CNMI). The information provided here pertains to the final rules published in the *Federal Register* on September 12, 2006 (71 FR 53605) and on December 1, 2006 (71 FR 69495). For the complete set of official regulations, please refer to Title 50 of the Code of Federal Regulations, Part 665 (50 CFR 665).

Regulations are subject to change, so fishermen must familiarize themselves with the most recent changes and are responsible to comply with them. Any discrepancies between this compliance guide and the regulations will be resolved in the favor of the regulations published in the *Federal Register* (71 FR 53605, September 12, 2006, and 71 FR 69495, December 1, 2006) and the Code of Federal Regulations.

Q1. How did the new regulations come about and what are their purposes?

A1. The regulations are the result of amendments to the Bottomfish, Crustaceans, and Precious Corals Fishery Management Plans (FMPs) that were developed by the Western Pacific Fishery Management Council and approved by the Secretary of Commerce. Federal waters around the CNMI were not previously included in the Bottomfish, Crustaceans, or Precious Corals FMPs. Federal waters around the PRIA also were not included in the Bottomfish or Crustaceans FMPs, except for Midway Atoll. Thus, Federal fisheries management, including data collection, was limited for these areas. These amendments include the three fisheries and waters around the CNMI and the PRIA in the management units.

¹ This compliance guide is issued in accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996: Title II of Public Law 104-21.

The purposes of the new regulations are:

- To improve the database for future bottomfish management decisions through data reporting requirements and cooperative Federal, state, and territorial data collection programs (Bottomfish FMP);
- To collect and analyze biological and economic information about lobster fisheries and improve the statistical base for conservation and management in the future (Crustaceans FMP); and
- To encourage the acquisition and analysis of new information concerning the distribution, abundance and ecology of precious corals (Precious Corals FMP).

Q2. Who is affected by the new regulations?

A2. The regulations affect U.S. domestic fishermen who engage in fishing for bottomfish, crustaceans, and precious coral management unit species in Federal waters around the CNMI and the PRIA.

Q3. When do the new regulations take effect, and for how long are they effective?

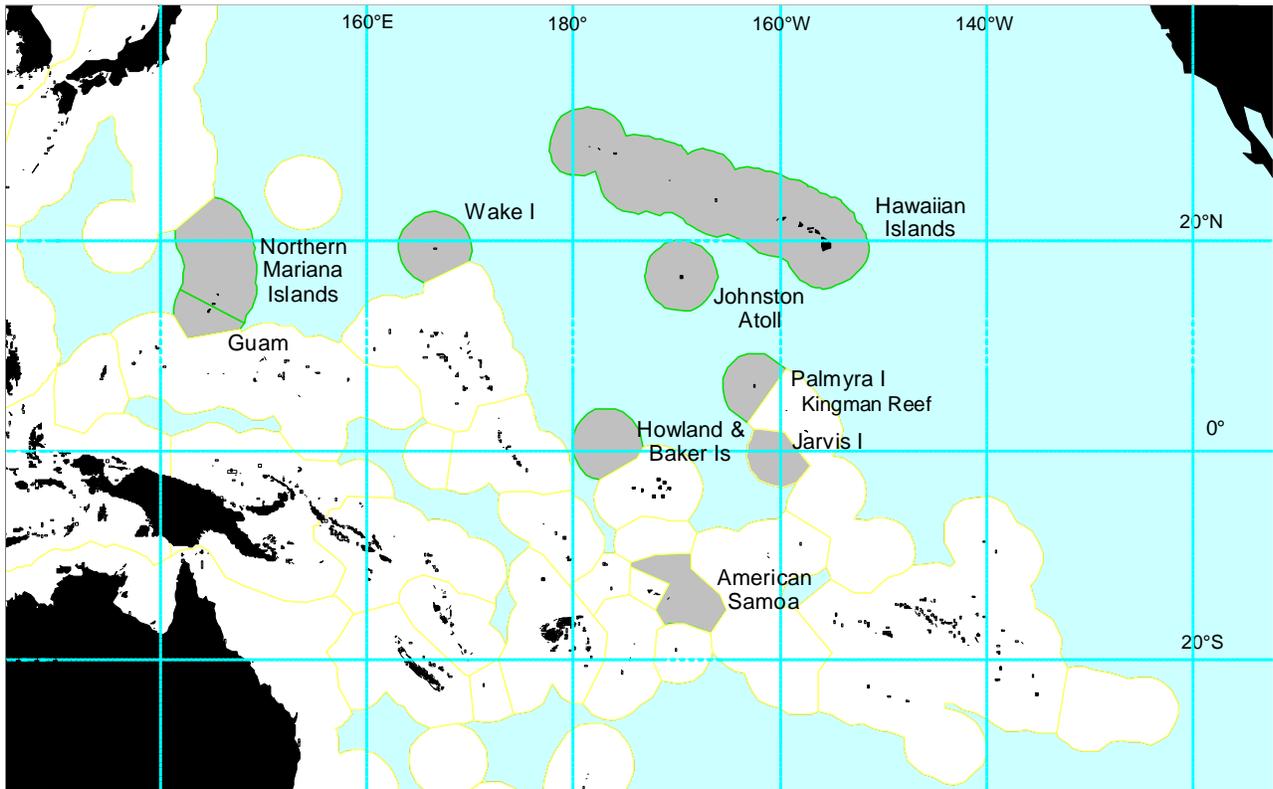
A4. The new regulations were effective on October 12, 2006, and the reporting and permit requirements were effective on January 2, 2007. The regulations will remain effective until they are revised or removed by the NOAA's National Marine Fisheries Service (NMFS).

Q4. Where are the CNMI Federal waters?

A4. The CNMI encompasses islands and banks in the northern part of the Mariana Archipelago. Federal waters, i.e., the U.S. Exclusive Economic Zone (EEZ), extend from the shoreline out 200 nm. Fishing in waters from 3-200 nm from the CNMI is subject to the new regulations described in this guide. Fishermen who are active in the nearshore waters (0-3 nm) should consult the CNMI Department of Fish and Wildlife (DFW) for regulations. (See map below).

Q5. Where are the PRIA Federal waters?

A5. For the purpose of these regulations, the PRIA include waters surrounding the U.S. Pacific island possessions of Wake Island, Johnston Atoll, Howland and Baker Islands, Palmyra Island, Kingman Reef, and Jarvis Island. The EEZ extends from the shoreline out 200 nm. Fishing in these waters is subject to the new regulations. Fishermen who are active in the nearshore waters (from shoreline and seaward to a depth of 50 fm surrounding the islands) should consult the Code of Federal Regulations and Federal agencies responsible for managing nearshore waters (e.g., U.S. Fish & Wildlife Service and NMFS). (See map below).



EEZ waters of the Western Pacific US.

Q6. In what areas and fisheries do the new regulations apply?

A6.

For the CNMI:

- The EEZ around the CNMI is included as a management area under the Bottomfish FMP, with regulations applied to the offshore area (3 to 200 nm). There are no new Federal permitting or reporting requirements.
- The EEZ around the CNMI is included under the Crustaceans FMP, with regulations applied to the offshore area (3 to 200 nm). Existing permit and reporting requirements apply to Permit Area 3. (Permit Area 3 means the EEZ around Guam and America Samoa, and the EEZ seaward of points 3 nm from the shoreline of the CNMI).
- The EEZ around the CNMI is included under the Precious Corals FMP, with regulations applied to the offshore area (3 to 200 nm). Existing exploratory area permit, reporting, and quota requirements apply.

For the PRIA:

- The EEZ around the PRIA is included under the Bottomfish FMP, with new Federal permitting and reporting requirements for all vessels targeting bottomfish management unit species.
- The EEZ around the PRIA is included under the Crustaceans FMP. Existing Federal permitting and reporting requirements apply to Permit Area 4. (Permit Area 4 means the EEZ around the PRIA, with the exception of EEZ waters around Midway Atoll).

Q7. How do I know if I need a permit, and what reporting is required?

A7.

Area	Target Species	New Federal Permit Required?	New Federal Reporting Required?
CNMI	Bottomfish	No, continue to follow CNMI DFW requirements	No, continue to follow CNMI DFW requirements
	Crustacean	Yes, Federal Crustacean Permit (Area 3)	Yes, Federal Crustacean logbook requirements
	Precious Corals	Yes, Federal Precious Corals Permit Area X-P-CNMI	No, follow existing Federal requirements
PRIA	Bottomfish	Yes, Federal PRIA Bottomfish Permit	Yes, Federal Bottomfish logbook requirements
	Crustacean	Yes, Federal Crustacean Permit (Area 3)	Yes, Federal Crustacean logbook requirements

Q8. How do I get a permit?

A8. Permits are issued by NMFS, Pacific Islands Regional Office, in Honolulu. Call 808-944-2231 or 808-944-2275 or by accessing the web site: <http://swr.nmfs.noaa.gov/pir/index.htm>

Q9. What are the required fishing record forms?

A9. The operator of any fishing vessel must maintain an accurate and complete record of catch, effort, and other data in fishing logbooks provided by the NMFS Regional Administrator. All information specified on the forms must be recorded within 24 hours after the completion of the fishing day. Each form must be signed and dated by the fishing vessel operator. The original logbook form for each day of fishing within the PRIA EEZ waters must be submitted to the Regional Administrator within 30 days of each landing.

Q10. Where do I get the fishing logbooks?

A10. To obtain a logbook, please call the Pacific Islands Fisheries Science Center at 808-983-5330 (or visit the office at 2570 Dole Street, Honolulu, HI 96822-2396).

Q11. Where can I obtain additional copies of this guide or more information on these regulations?

A11.

Pacific Islands Regional Office
NOAA National Marine Fisheries Service
1601 Kapiolani Blvd. 1110
Honolulu, Hawaii 96814

<http://swr.nmfs.noaa.gov/pir/guides.htm>

You can also read the notices for this rule *Federal Register* in Vol. 71, No. 176, pp. 53605-53608 (September 12, 2006), and in Vol. 71, No. 231, pp. 69495-69496 (December 1, 2006).

